Water Rights in Kansas



Division of Water Resources

Kansas Water Appropriation Act

- It is illegal for individuals in Kansas to use water without holding a vested right or applying for, and receiving, a permit to appropriate water from the Division of Water Resources.
- Violations can result in a maximum of six months in jail and a \$500 fine.
- Domestic Use Exempt from Permitting
 - Watering Lawns Gardens Orchards < 2 acres
 - Watering Livestock in Pasture
 - Household Purposes
 - Water Right Developed but Un-quantified
 - Ponds/Lakes holding less than 15 acre-feet of water

Kansas Water Appropriation Act

KSA 82a-737 passed in 2001

> Civil Enforcement

Up to \$1000 penalty per day per violation

KANSAS DEPARTMENT OF AGRICULTURE **DIVISION OF WATER RESOURCES**



Enforcement Matrix Form

	Subject: Violation:	Γ	Stage 1 Base	Stage 2 Prior	Stage 3 Intentional
		⊢	Penalty	Violations	Non-compliance
	CATEGORY 1 \$100.00 base and up Threat to divert Unauthorized PUse < 10 acres Excessive rate < 115% Failure to maintain meter/wm device	0000	\$100.00 \$100.00 \$100.00 \$100.00	Add \$100.00 each offense	Add \$100.00 per day offense after notification
	□ Other		\$100.00		
п	CATEGORY 2 \$500.00 base - up or down Unauthorized PD Unauthorized PUse > 10 acres Conservation Plan failure Waste of Water Excessive rate > 115% Failure to install meter Failure to make required special reports Exceeding authorized annual quantity Unauthorized UMW CATEGORY 3 \$1000.00 base - or less Meter tampering	00000000000	\$500.00 \$500.00 \$500.00 \$500.00 \$500.00 \$500.00 \$500.00 \$500.00	Add \$250.00 each offense	Add \$100.00 per day offense after notification
	□ Failure to timely install meter/wm device □ Falsifying water use /other data □ Denying access to DWR personnel □ Violating Cease & Desist Order □ Impediment to securing water	0 0 0 0	\$1,000.00 \$1,000.00 \$1,000.00 \$1,000.00 \$1,000.00	each offense	per day offense after notification
	ADJUSTMENTS TO PENALTY:		Minus \$100.00 Minus \$250.00 Minus \$500.00 Minus \$750.00	0	Add \$100.00 Add \$250.00 Add \$500.00 Add \$750.00
_	SUSPENSION				
	MODIFY WATER RIGHT				
	JUSTIFICATION / COMMENTS:				
	JUSTIFICATION / COMMENTS:				
	Penalty: \$		Signed:		

KANSAS DEPARTMENT OF AGRICULTURE **DIVISION OF WATER RESOURCES**



NOTICE OF NON-COMPLIANCE

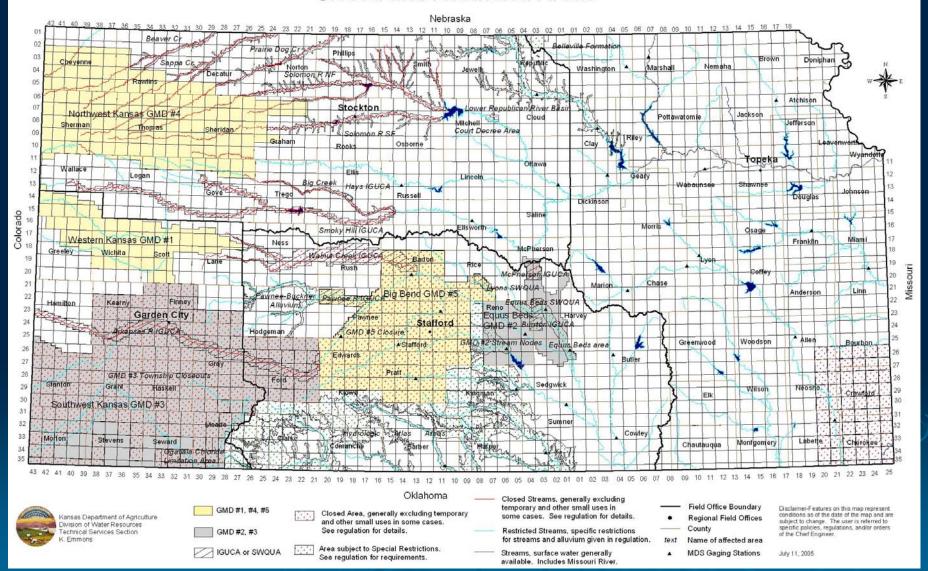
DWR 1-555 (Mar 1, 2007)

CITATION:
K.A.R. 5-14-10 (c)(1) - CATEGORY 1
□ (A) Threat to divert water without a permit □ (B) Unauthorized Place of Use < 10 acres
☐ (C) Excessive rate of diversion < 115%
□ (D) Failure to maintain meter/wm device
□ (E) Other -
K.A.R. 5-14-10 (d)(1) - CATEGORY 2
□ (A) Unauthorized Point of Diversion
□ (B) Unauthorized Place of Use > 10 acres
□ (C) Water Conservation Plan Failure
□ (D) Waste of Water
☐ (E) Excessive rate of diversion > 115%
☐ (F) Failure to install a meter as required
□ (G) Failure to make required special reports □ (H) Exceeding authorized annual quantity
□ water use report
☐ From Field Investigation
☐ (I) Unauthorized Use Made of Water
V. I. D. T. (1. (1.) (1.) C. T. T. C. D. V. D.
K.A.R. 5-14-10 (e)(1) - CATEGORY 3
□ (A) Meter tampering □ (B) Altering meter readings
☐ (C) Failure to timely install meter/wm device
☐ (C) Falsifying water use /other data
☐ (E) Denying access to DWR personnel
☐ (F) Violating Cease & Desist Order
☐ (G) Impediment to securing water
Failure to comply with the Water Appropriation Act
and associated regulations may result in civil penalties, suspension, and/or civil injunction
penalties, suspension, and/or civil injunction

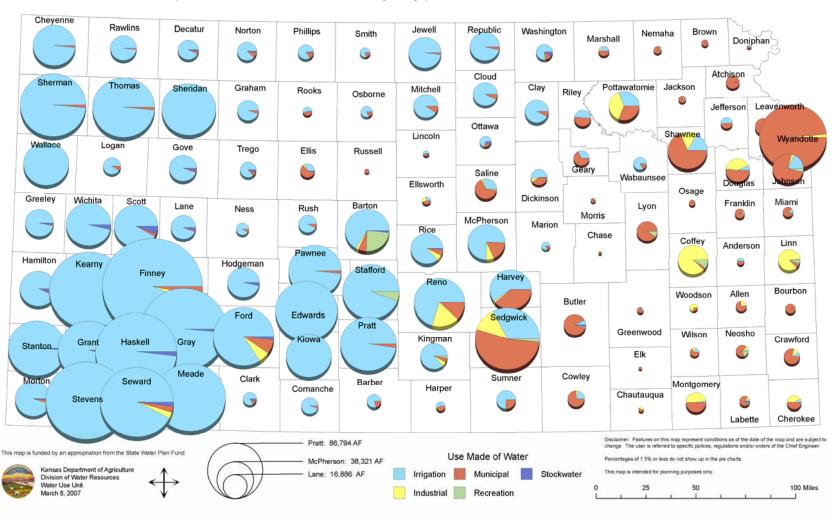


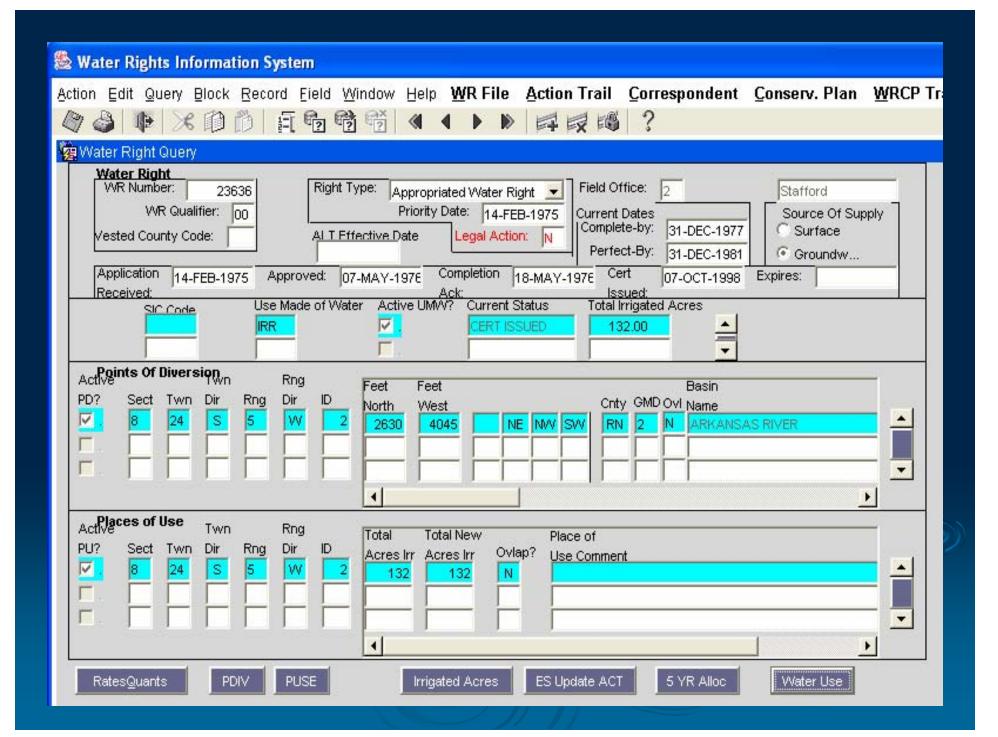
Closed and Restricted Areas

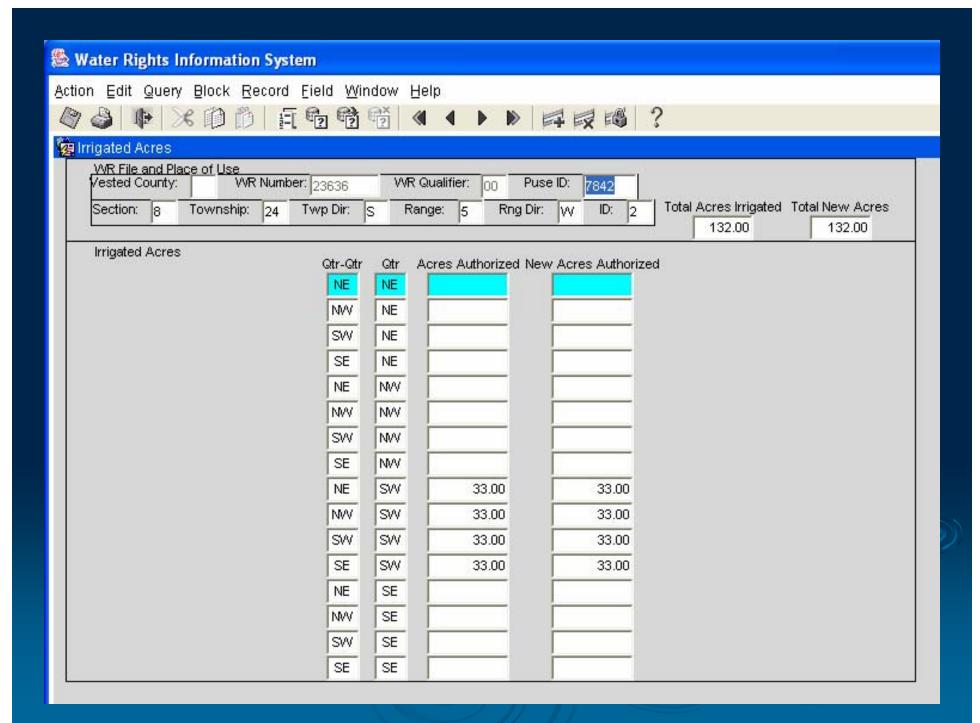
Division of Water Resources

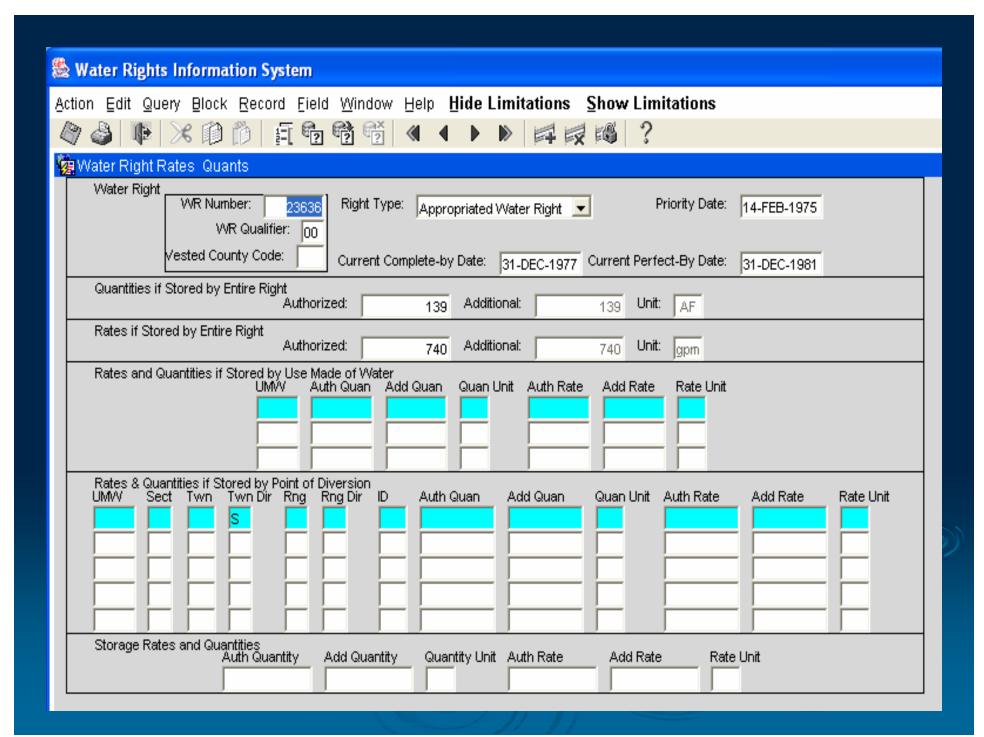


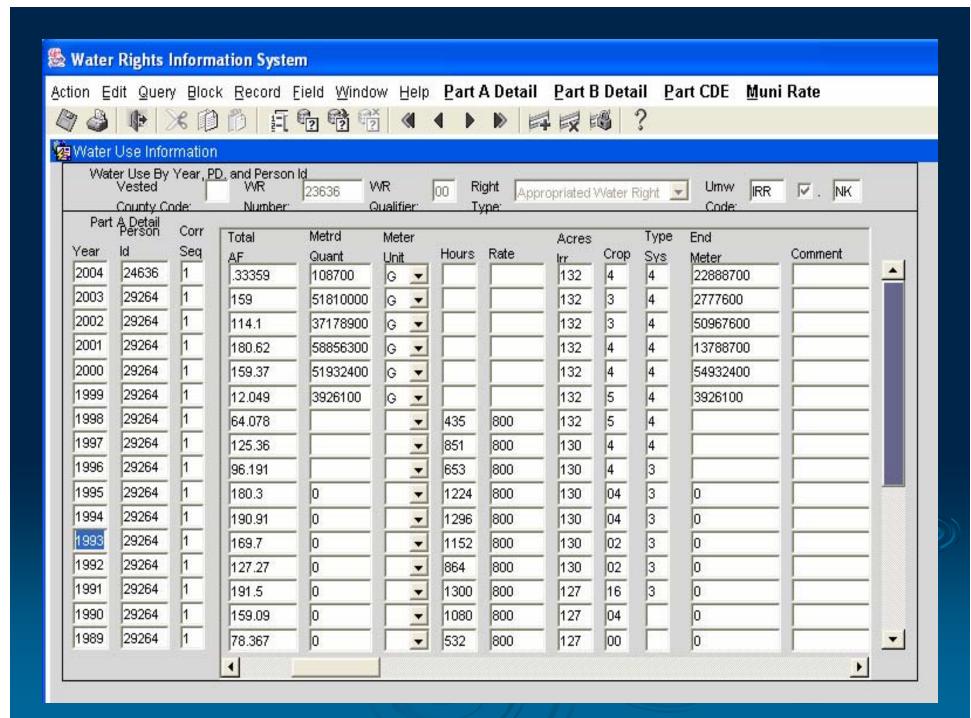
2005 Reported Water Use, by Type of Use for Kansas Counties

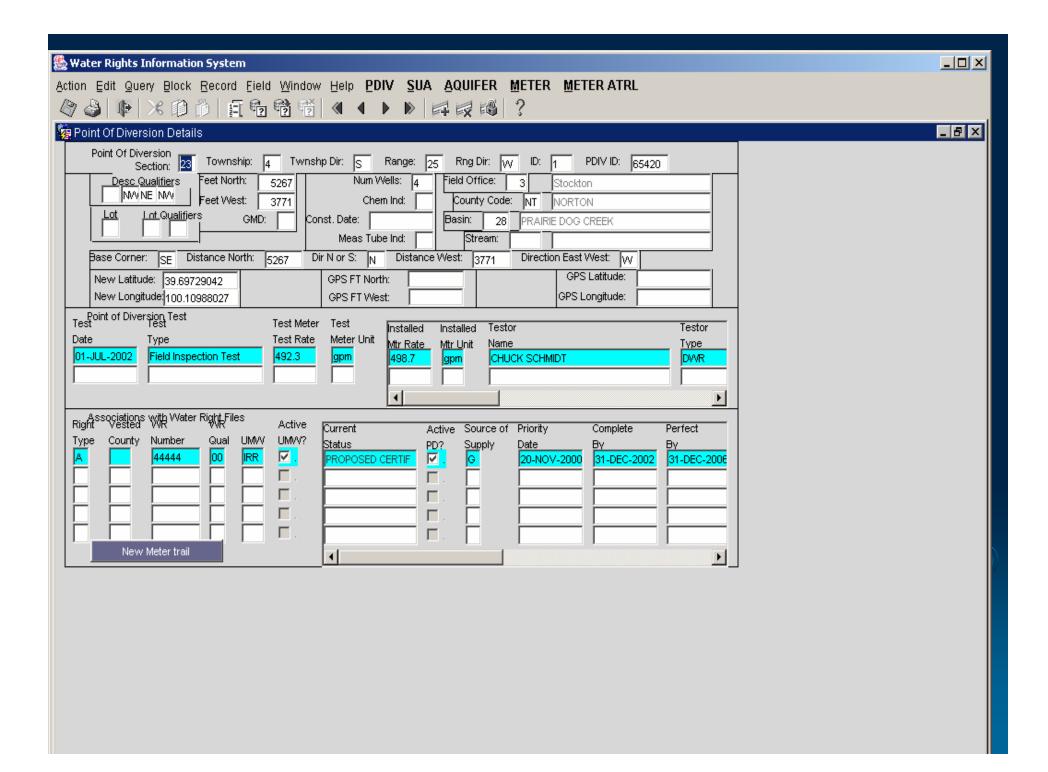


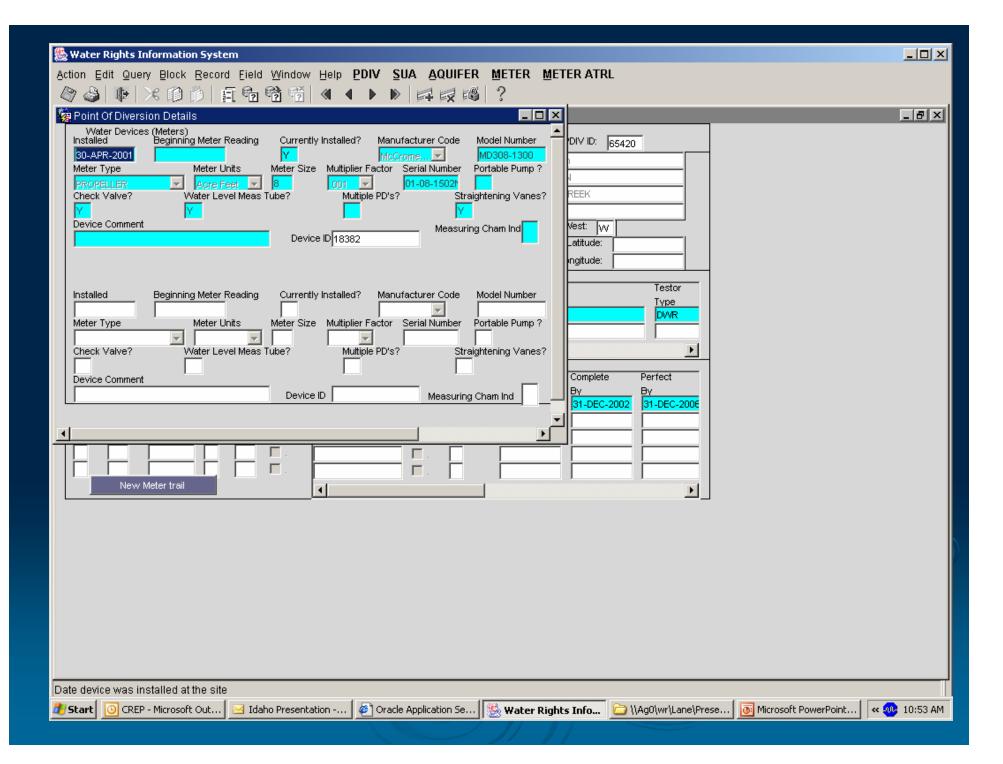












2006 IRRIGATION WATER USER REPORT

This is the annual Water Use Report required to be filed for all Vested or Appropriation Rights. IMPORTANT: Kansas Law requires this completed report to be filed by March 1. Failure to do so will subject the owner to a civil fine not to exceed \$250 per file number. If any point of diversion shown below is permanently inoperable, please circle it. IF YOU DID NOT USE WATER, YOU MUST REPORT THE REASON FOR NON-USE TO HELP PROTECT YOUR WATER RIGHT. Infomation on each point of diversion must be completed. Please begin by reading the attached instructions and definitions.

					_	-					1							
	LEGAL DESCR POINT(S) OF D						INCL BEGINNING	UDE MULTIPLICATIO	ON FACTOR	U		PUMP		TYPE	TYPE	WELL DATA		
FILE NUMBER	QUALIFIERS	SEC TWP RNG	CIN	СНМ		ACRES IRR.	WATER METER READING	WATER METER READING	QUANTITY OF WATER		HOURS PUMPED			OF SYSTEM	OF ENERGY	DEPTH TO WATER	DATE MEASURED	
19951-00 A	1320N 3940W KA: - # 2D	2-25S-32W	4	4	A	131.3	1634.096	1914.031	279.935	Α			16	4	N	79'11"	2/3/07	
19952-00 A	3960N 1320W KA: #11B	11-25S-32W	1	4	A	125	1306.322	2/54.391	848.069	Д			8	4	N			
19953-00 A	3960N 3930W KA: #11A	11-25S-32W	2	4	A	125	1155.738	1345.153	189.415	A		471	8	4	N	88,10,1	213/07	
19956-00 A	3960N 1340W KA: - #3B	3-25S-32W	3	Y	A	125	2010.972	2251.996	241.024	A		111	1	4	N	81'0"	2/3/07	
19957-00 A	1320N 1345W KA: #3C	3-25S-32W	1	4	Α	129.3	1481.171	1716.569	235.348	A		119	16	4	N	93'2"	2/3/07	
19959-00 A	1320N 3940W KA: #1D	1-25S-32W	1	4	Á	129.3	1136.337	2/03.510	967.173	A			8	4	N	72'54	2/3/07	
19960-00 A	1320N 1340W KA: #1C	1-25S-32W	2	4	A	131	1817.533	1952.574	135.041	Α			8	4	N	41:44	2/3/07	
20476-00 A	3980N 1340W KA: #10B	10-25S-32W	1	4	Α	130	1177.661	1456.383	278.722	Α			16	4	И			
CALENDAR	OFFICE FIELD)						DECENT		_	_							

VEAR USE OFFICE CO GMD 06 7717 2001 1 2 - IRR GC FI 03

1025. Total acres irrigated.

I submit the seport as the best information available. I understand that knowingly falsifying the report is a violation of state law.

RECEIVED FEB 2 6 2007

BROOKOVER LAND ENTERPRISES E C BROOKOVER PO BOX 917 GARDEN CITY KS 67846-0917

43 866

SIGNATURE

2-25-07

FEB 2 8 200

Garden City Field Office Division of Water Resources TELEPHONE NO. (620) 2Ne-6dole2

CIRCLE ONE: OWNER AGENT TENANT

KS DEPT OF AGRICULTURE

001615 DWR 1-514 (Rev. 11/05)

2001 MUNICIPAL WATER USE REPORT (PUBLIC WATER SUPPLY)

PART B: MONTHLY WATER USE SUMMARY

пол	E: REPORT WATER PUMPE	D, PURCHASED, AND SOLD FO	R THE MONTH OF ACTUAL US	E. REPORT ALL AMOUNTS IN	UNITS OF 1000 GALLONS.	24051 1 4 1	
Column 1;	The amount of water di- month as customer mot	verted, by month, from all polities. The total amount in this	nts of diversion (wells or intal- column should equal the total	(es). If possible, raw water r	neters should be read at the se PART A.	24951 1 / 1 ame time of the	IUN
Column 2:	The amount of water pu	rchased, by month, from all o	other public water supply syst	ems or the Kansas Water O	ffice. Please provide further de	etail in PART E.	
Column 3:	The amount of water so	ld, by month, to all other publ	lic water supply systems. Pie	ase provide further detail in	PART E.		
Column 4:	The amount of water so amount of water sold to	kd, by month, to all industrial, farmsteads using at least 20	pasture, stockwater, feediot, 0,000 gallons of water per ye	and bulk water service conn ar. Also include metered po	nections. For rural water districtions were plant usage, even if this w	cts, include the ater is supplied free.	
Column 5:	The amount of water so	ld, by month, to your residen	tial, commercial and Institutio	nal customers (include hosp	itals, schools and prisons).		
Column 6:	The amount of water up connections receiving fr	ed, by month, that is meterod ee water. Please record met	d at individual service connect tored power plant usage with	tions and supplied free, such industrial water use in Colun	n as for public service, treatme	nt processes, and	
Column 7:	The amount of unaccou	inted for water, by month. Th	e gallons reported in this colu	imp are found by adding the	numbers in Columns 1 and 2 the total amount of water that the	and subtracting the	
Month	Column 1 Raw Water Diverted Under Your Rights (1000 Gallons)	Column 2 Water Purchased From All Sources (1000 Gallons)	Column 3 Water Sold to Other Public Water Suppliers (1000 Gallons)	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers (1000 Gallions)	Column 5 Water Sold to Your Residential and Commercial Customers (1000 Gallons)	Column 6 Metered Water Provided Free (1000 Gallons)	Column 7 Unaccounted For Water (See Above Explanation) (1000 Gallons)
Jan,					,,,,,,	(1000 001010)	(1000 datatis)
Feb.	10-4-1-1-1						
Mar.							26
Apr.							
May							
June							
July							
Aug.							
Sept.							
Oct.							
Nov.							
Dec.							
Total							
ART C: POP	ULATION, SERVICE CONNE	CTIONS, AND WATER RATES					
. Populatio	on served:	Estimate the	number of persons served directly	y by your distribution system (Col	umns 5, 6, and 7).		
- Number	of ACTIVE water service conne	ections as of December 31;					
а	Residential	c	Industrial	e	_ Other (specify)	_	
b	Commercial/Inc	stitutional d	Pasture/Stockwaler/Fee		Total ACTIVE Service Connect		
. If you are	a city, how many of the active	residential water service connect	lons shown in 2a. are located out	side of your city limits.			
. Date of k	ast water rate change (Month a	and Year); II	rates changed during 2001, pleas	se attach a copy of new rate struc	tures that apply to residential users	L	

2001 MUNICIPAL WATER USE REPORT (PUBLIC WATER SUPPLY)

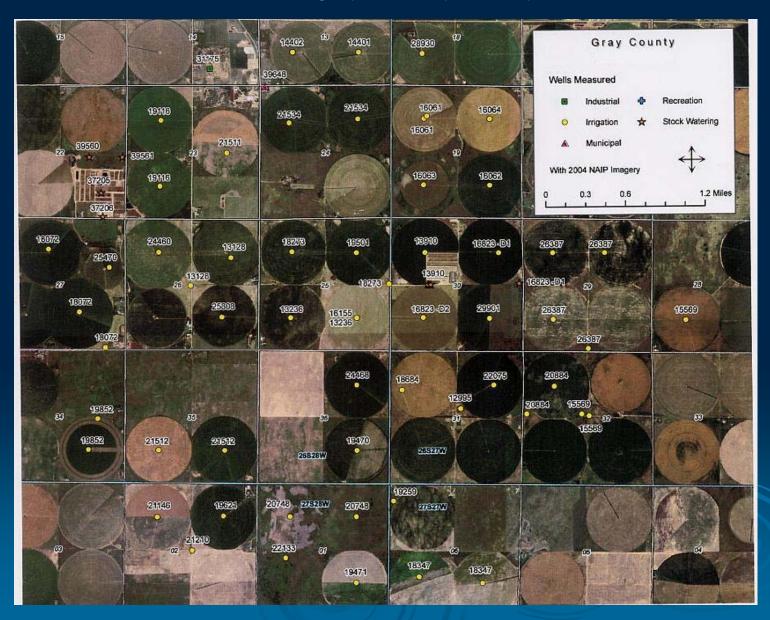
GIS

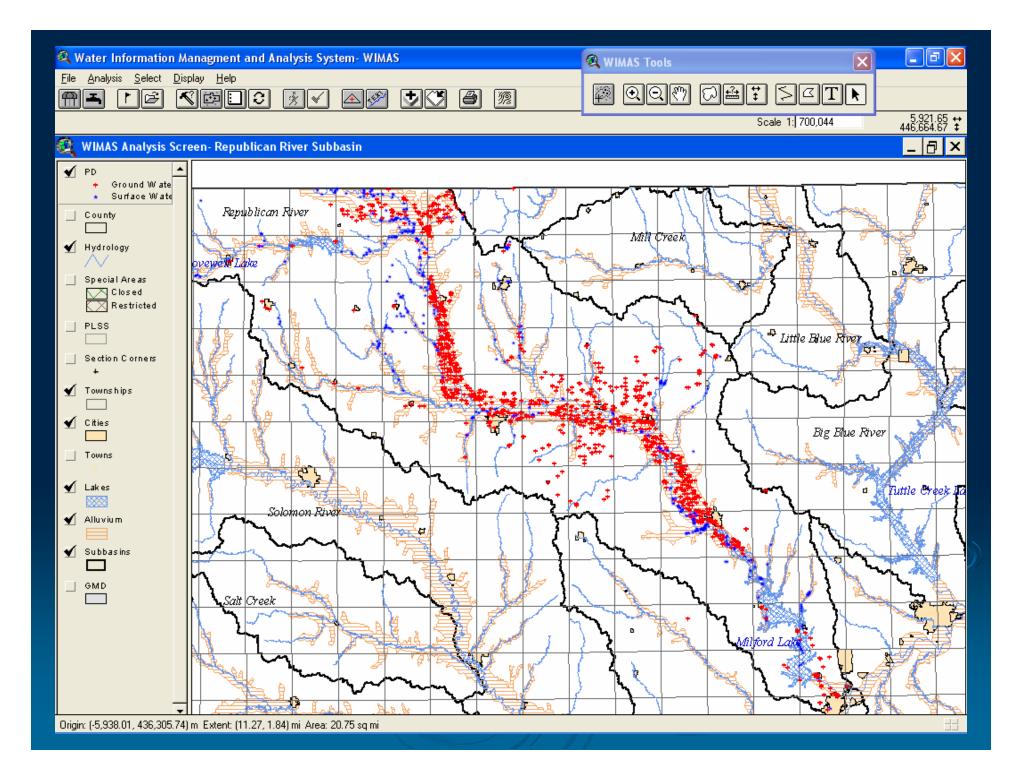
Locating Points of Diversion

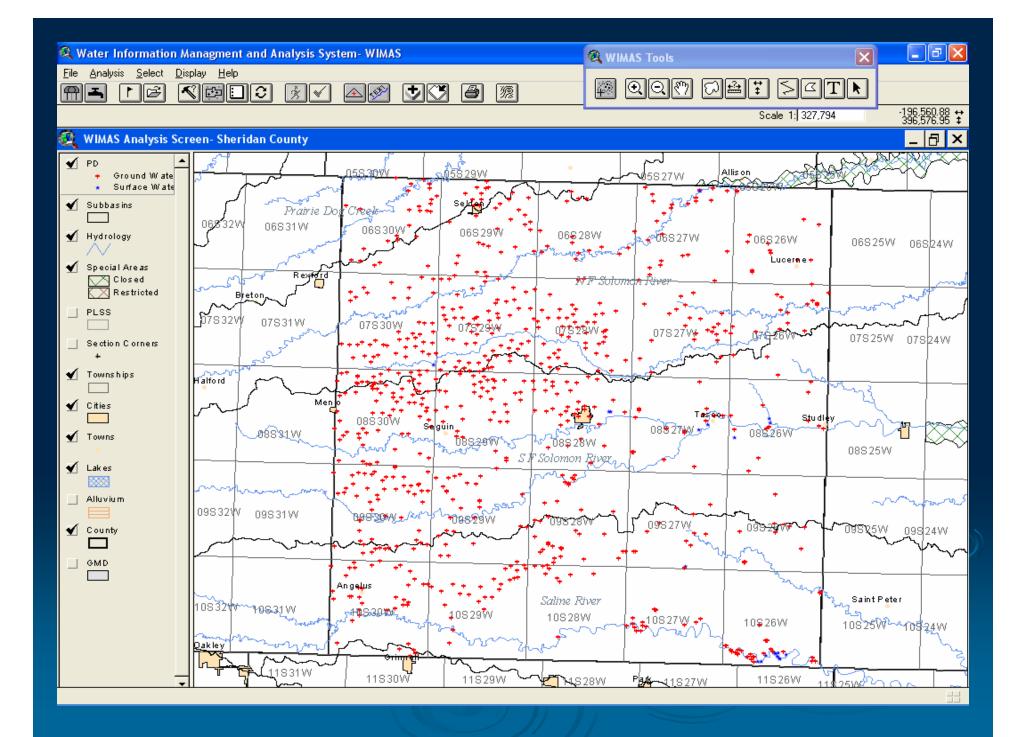
Analyzing Applications for New Rights

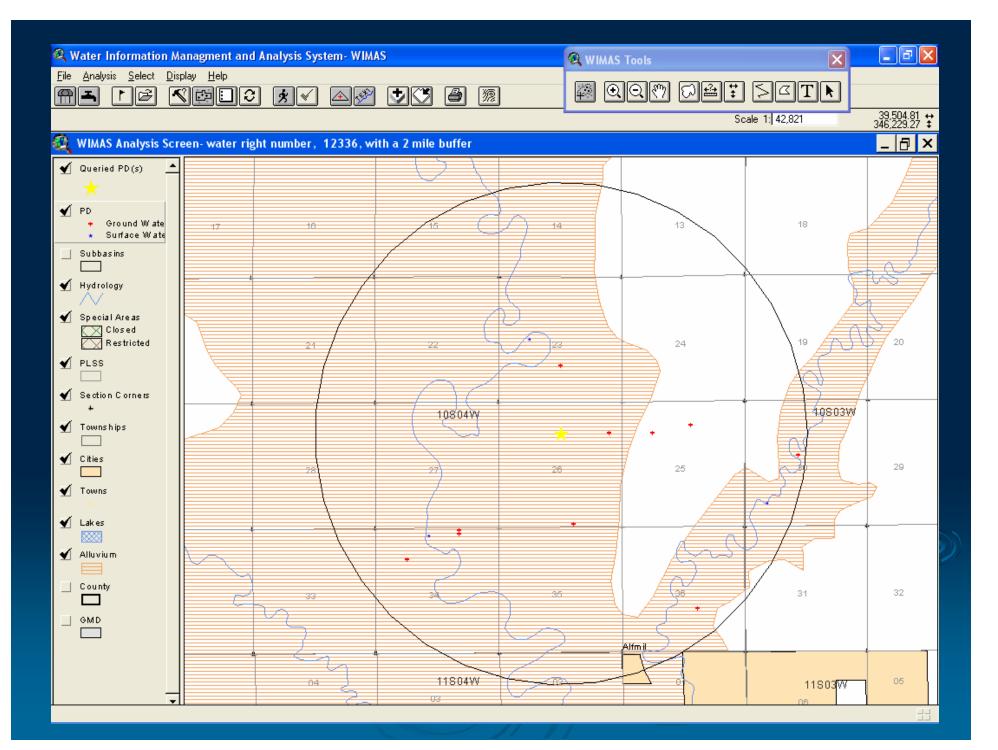
Analyzing Changes to Existing Rights

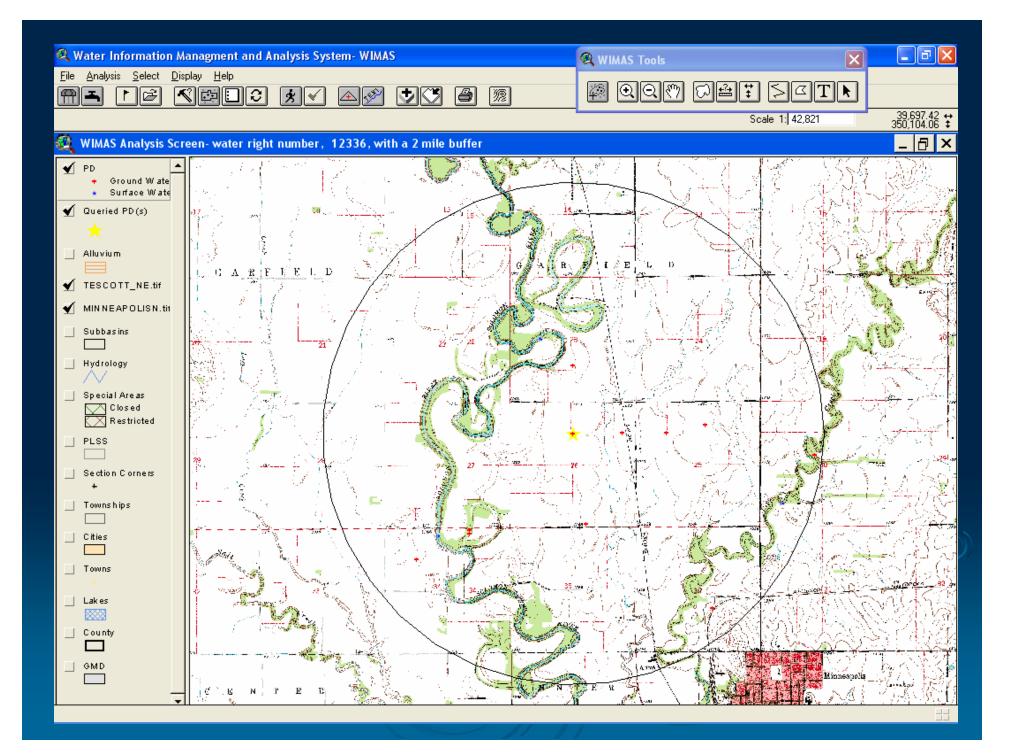
NAIP Imagery for Gray County



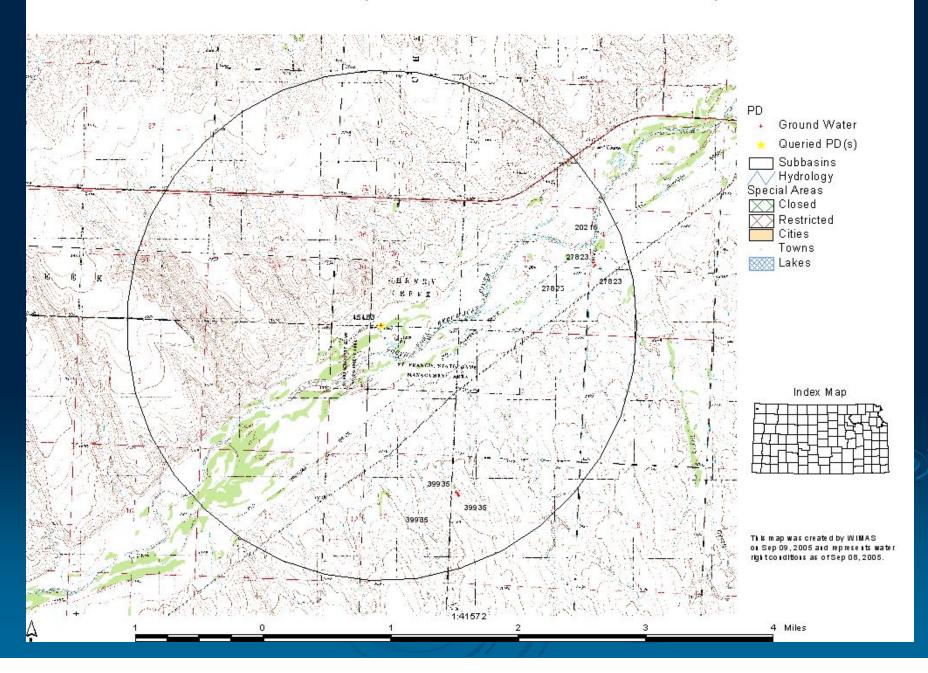


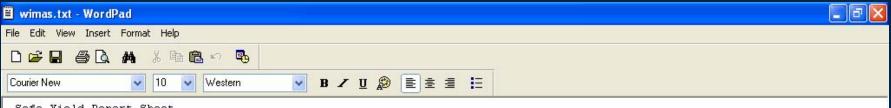






Safe Yield Analysis - Truncated at alluvial boundary





Safe Yield Report Sheet.

Water Right Number, 12336, With A 2 Mile Buffer.

Point of Diversion located in 26-10S-4W 1.

Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield, based on the variables listed below, is 1332.04 AF.

Total prior appropriations in the circle is 1095.33 AF.

Total quantity of water available for appropriation is 236.70 AF.

Safe Yield Variables

The area used for the analysis is set at 8042 acres.

The potential annual recharge of the area is estimated to be 2.65 inches.

The percent of calculated recharge available for appropriation is 75 %.

Authorized Quantity values are as of Sep 19, 2005 and are based on Appropriated and Vested ground water rights and possible stream nodes for GMDs. Domestic, Term and Temporary water rights have been excluded.

There are 9 water right(s) and 10 point(s) of diversion within the circle.

File	Number		IIse	ST	SR	04	03	02	01	FeetN	FeetM	Sec	Tun	Rna	TD	Oind	Auth Quant	Add Quant	Tacres	Nacres
A	12336	00	IRR	NK	G			CW	NE			26	10	4 W	1	WR	169.00	169.00	137.00	137.00
A	13231	00	IRR	NK	G			NC	NW			25	10	4 W	2	WR	159.00	159.00	160.00	160.00
A	14304	00	IRR	NK	G		SE	SE	NW			30	10	ЗW	4	WR	44.00	0.00	97.00	23.00
A	15906	00	IRR	NK	G		sw	NW	SE	1545	2620	23	10	4 W	2	WR	114.00	114.00	129.00	129.00
A	26370	00	IRR	NK	G		SE	NE	NE	3995	515	26	10	4 W	2	WR	153.00	153.00	120.00	120.00
A	44518	00	IRR	LO	G		SW	SW	SE	125	2060	26	10	4 W	3	WR	200.00	200.00	160.00	160.00
A	44770	5	DOM	LO	G		sw	NW	SE	1821	2038	36	10	4 W	2	WR	3.33	3.33	0.00	0.00
A	44791	00	IRR	GY	G			NC	NW	3960	3960	34	10	4 W	2	WR	147.00	147.00	113.00	113.00
A	44834	00	IRR	LO	G		NE	NW	NE	5154	1718	34	10	4 W	4	WRF	150.00	139.00	100.00	100.00
A	44834	00	REC	LO	G		NE	NW	NE	5042	1713	34	10	4 W	3	WRF	11.00	11.00	0.00	0.00

The Next Generation

- > WIMAS 5
 - Joint Project with Kansas Geologic Survey
 - Cold Fusion and ArcIMS
 - Went online in October 2005

- Share WRIS Information with Public
 - Frees up Staff Time
 - No special Software Requirements



WIMAS version 5 for the Web was funded in part by the State Water Plan Fund of the Kansas Water Office and the Kansas GIS Policy Board.

The Kansas Department of Agriculture, Division of Water Resources (DWR) and Kansas Geological Survey (KGS) exercises great care in the creation of its Water Information Management and Analysis System (WIMAS) program. However, the DWR or KGS offers no warranty or guarantee of the accuracy or completeness of the WIMAS program and the data contained therein, the DWR or KGS assumes no liability for errors in, interpretation of, or use of these data.

Water rights are dynamic and often complex entities. The water rights data used in WIMAS represents the water rights files as of 08/09/2005 and should not be viewed as current. A new water rights data set for the WIMAS program is generated nightly.

Information provided in WIMAS can not be used to determine whether a water right has been lawfully used in accordance with the terms, conditions and limitations specified in the vested right, certificate or permit. To obtain current standing information on a particular water right file, please contact the DWR.

The term "status", as used in the WIMAS program, denotes one of the following phases of a water right's development: (1) The application is pending initial review by the DWR; (2) A permit has been issued; (3) The DWR has received a notice and proof of completion of the diversion works; (4) The time to perfect the water right has expired; (5) A Certificate of Appropriation has been issued; or (6) The water right has been dismissed for some reason.

Information contained in the WIMAS program is a public record; however, by accessing the WIMAS program, associated data, and any products generated by WIMAS (i.e. maps, graphs, tables, and reports) the user agrees that they will not use them for selling, or offering the sale, of any property or services in violation of K.S.A 45-220(c)(2).

For more information contact the DWR via the Internet or at (785) 296-3710.

By clicking the "I ACCEPT" button, you fully accept the responsibilties and use limitations listed above.

Accept Decline











Water Information Management and Analysis System (WIMAS) for the Web

Water Right Information represents conditions as of 08/09/2005.

	ublic Land Survey S						
Township: Any Township Mange:	Any Range 🚩 Range Di	irection: E or W V Section: Any Section V					
Lat/Long Box (DD, NAD 27): North Latitude West Longitude East Longitude South Latitude	Any County Allen Anderson Atchison Barber Barton Bourbon Brown	Water Right File Number Right Type: Vested County Code: Water Right Number: Water Right Qualifier:					
Filter By Use Made of	Water	Filter by Source of Water					
☐ Industrial ☐ Re☐ Irrigation ☐ Sto	☐ Domestic ☐ Municipal ☐ Recreation						
Filter for Primary Water ✓ Appropriated and/or	☐ Go directly to MAPPING page						
Your e-mail address (required)		Select Water Rights					

WIMAS is a web based application that allows users to query, analyze, and map Kansas water right data. Data is retrieved daily from the Kansas Department of Agriculture's, Divsion of Water Resources Water Rights Information System. WIMAS for the web was funded in part by the State Water Plan Fund of the Kansas Water Office and Kansas GIS Policy Board.

Related Links













WIMAS Query Results

Summarize Quantity	Water Use Trends
Create Map	Download Data
Development Trends	Start New Query

Water Right Information is current as of 08/09/2005

You have the following filters in place:

County(s) = 'MS'

Done

Appropriated and/or Vested Water Rights = Yes

There are 168 unique water rights and 246 unique points of diversion selected. Only 50 records are displayed at one time. Records can be sorted ascending (asc) or descending (desc) which will affect ALL the records in the selection set.

Filter for only Active Non/dismissed Water Rights

Internet

		View	/Records:	1-50 <u>51-1</u>	<u> 00 101-</u>	<u>150 151-200 201-2</u>	<u> 251-299 </u>			
Wr File Number asc desc	Use of Water asc desc	Use of Water Active asc desc	Source asc desc	Priority Date asc desc	Wr Status <u>asc</u> <u>desc</u>	Pdiv Location (twp rng sect qual id) <u>asc desc</u>	Longitude asc desc	Latitude asc desc	County asc desc	Pdiv Active <u>asc</u> <u>desc</u>
A 303 00	IRR	Υ	S	02-FEB- 1948	NK	2S 7E 32 SWSESE 2	-96.6604	39.828438	MS	Υ
A 341 00	IRR	Υ	s	22-APR- 1948	NK	4S 7E 20 N2 3	-96.666008	39.693336	MS	Υ
<u>A 341 00</u>	IRR	Υ	s	22-APR- 1948	NK	<u>4S 7E 19 N2 1</u>	-96.684784	39.693356	MS	Υ
<u>A 1676 00</u>	IRR	Υ	s	30-JUL- 1953	NK	<u>4S 6E 15</u> SWSENE 3	-96.735344	39.705338	MS	Υ
<u>A 2237 00</u>	IRR	Υ	S	20-FEB- 1954	NK	4S 6E 16 SENESE 1	-96.751846	39.701736	MS	Υ
<u>A 4046 00</u>	IRR	Υ	S	12-MAY- 1955	NK	<u>5S 8E 16</u> <u>NESWNW 1</u>	-96.534691	39.619606	MS	Υ
<u>A 4046 00</u>	IRR	Υ	s	12-MAY- 1955	NK	5S 8E 17 NWSESE 1	-96.541748	39.612354	MS	Υ
<u>A 5019 00</u>	IRR	Υ	s	17-JAN- 1956	NK	2S 7E 16 NWNESW 1	- 96.65176902	39.87786962	MS	Υ
A 5019 00	IRR	Υ	S	17-JAN- 1956	NK	2S 7E 16 NCNESW 2	- 96.65010869	39.87651349	MS	Υ



Done





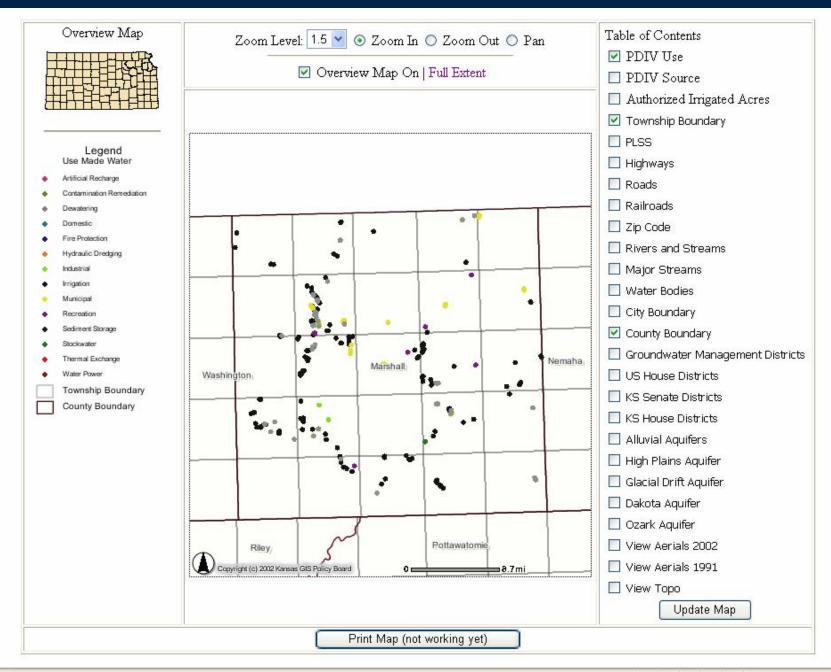


WIMAS Water Right Information Sheet

Internet

Water Right Information represents conditions as of 08/09/2005.

Location Map Water Right
Water Right: 303 - 00 1 Type(s) of Use: IRR
Link to the Kansas Geological Survey Website: Search WWC5 Search Wizard
Water Right Details
Priority Date: 02/02/1948 Right Type: A Water Right Active: Y Water Right Status: NK
Source: S Total Acres Authorized: 152 Net Acres Authorized: 152
Point of Diversion Details
Pd Active: Y Feet North: Feet West: Qualifiers: SW SE SE County: MARSHALL
GMD Num: Number of Wells: 1 Subbasin: BIG BLUE RIVER Stream Number: 13
Special Use Area(s): Comment:
Authorized Quantity & Rate
Quantity Stored By: Water Right Authorized Quantity (AF): 152 Net Quantity (AF): 152
Rate Stored By: Water Right Authorized Rate (GPM): 1215 Net Rate (GPM): 1215
Reported Water Use Graph Water Use History
Water Use Year(s): 2003 ▼ Total Water Used (AF): 75.72 Acres Irrigated: 90
Water Use Reported on Right Num: Reel Number: 23 Blip Number: 1913
Metered Quantity: Depth to Water: Depth of Well:
System Type: 3 Hours Pumped: 514 Pump Rate: 800 Date of Measurement:
Date Report Received: 01/29/2004 Chemigation Indicator: Water Use Code: G Crop Code: 24
Current Water Use Correspondent(s): SCULLY PARTNERS LP







The Future is in Our Fields



Ouick Fact

Nutritious Kansas-grown foods contribute to the health and wellworldwide.

Welcome to the Kansas Department of Agriculture

A message from Secretary of Agriculture Adrian Polansky



Welcome to the Kansas Department of Agriculture website. We are committed to food safety, consumer protection, natural resource protection and water resource management for the benefit of all Kansans. To learn more about our agency and its programs, visit About Us.

more

Renewable Energy

Information on ethanol, biodiesel and other sources of renewable energy produced by Kansas farmers.

Sensitive Crops

NBAF in Kansas

Kansas is exceptionally well-suited to be the new "home" for the National Bio and Agro-Defense

Register a sensitive crop location or learn how you can help protect sensitive crops from drift.

Services Directory

Easy access to state services information from a central online location.

CATEGORIES

All Categories

Administration

Division of Water Resources

Environment

Food Safety

Consumer Protection

NEWS RELEASES

Kansas among states to lead advanced bioenergy, biofuels research and development

Dam owners need to watch for signs of damage due to heavy

Water Appropriation

Manages the state's water supply through a system of permits, reviews and inspections.

Dairy

Licenses and inspects dairies, milk haulers, transfer stations, pasteurization plants, bottlers, ice plants and wineries to ensure consumer safety.

Feed and Seed

The Agricultural Commodities Assurance program regulates the quality of feed, pet food and seed.

Food Safety

Licenses and inspects grocery stores, convenience stores, restaurants in grocery and convenience stores, food wholesalers and warehouses, food processors and food manufacturers.

Pesticides and Fertilizer

Protects the public and environment by promoting the safe use, handling and storage of pesticides and fertilizer.

Plant Protection and Weed Control

Protects the state's natural and cultivated plants from invasive insects, diseases and weeds.

Renewable Energy

Information on ethanol, biodiesel and other renewable energy production in Kansas.

Water Structures

Regulates activities affecting streams by ensuring that such activities are properly planned, constructed, operated and maintained for their authorized purposes without adversely affecting the environment,



v

Questions?

